

August 10, 2005

**Via Electronic Filing**

Marlene Dortch  
Federal Communications  
Enforcement Bureau  
445 12th Street SW  
Washington, DC 20554

**Re: AOL Enhanced Services, LLC Subscriber Notification Report in WC Docket No. 05-196**

Dear Ms. Dortch:

On behalf of AOL Enhanced Services, LLC ("AOL"), I hereby enclose AOL's report providing the information requested by the Enforcement Bureau concerning the Commission's July 29, 2005 subscriber notification deadlines for interconnected Voice over Internet Protocol providers. *See Public Notice: Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, DA 05-2085 (rel. July 26, 2005). Please feel free to contact me if you have any questions regarding this filing.

Sincerely,

\_\_\_\_\_/s/\_\_\_\_\_  
Tekedra McGee Jefferson  
Assistant General Counsel  
America Online, Inc.  
22000 AOL Way  
Dulles, VA 20166  
(703) 265-6527  
TekedraM@aol.com

**AOL Enhanced Services, LLC  
Subscriber Notification Report**

**WC Docket No. 05-196**

August 10, 2005

AOL Enhanced Services, LLC (“AOL”), a wholly-owned subsidiary of America Online, Inc., provides the information requested by the Enforcement Bureau in its July 26, 2005 public notice<sup>1</sup> on the Commission’s subscriber notification requirements for interconnected Voice over Internet Protocol (“VoIP”) providers.<sup>2</sup> As requested in the July 26, 2005 public notice, AOL describes: its efforts to notify its AOL Internet Phone Service subscribers of the limitations of its VoIP emergency E911 service and obtain customer acknowledgement of these limitations; its efforts to provide its customers with warning stickers regarding these limitations; the actions its plans to take with regard to customers who fail to provide the required acknowledgement by August 30, 2005; and the measures it has taken to maintain acknowledgements received from subscribers.

To date, as a result of its concerted efforts described below, AOL has obtained acknowledgements from 98% percent of the subscriber base.<sup>3</sup> AOL is continuing its efforts to obtain acknowledgements from its few remaining subscribers. For questions regarding AOL’s E911 compliance activities described below, please contact:

Tekedra McGee Jefferson  
Assistant General Counsel  
America Online, Inc.  
22000 AOL Way  
Dulles, VA 20166  
(703) 265-6527  
TekedraM@aol.com

AOL Internet Phone Service, to be branded as TotalTalk™, uses existing high-speed Internet connections to offer consumers unlimited local and long distance voice services. AOL’s April 2005 launch of the service included 40 metropolitan areas across the United States, and AOL anticipates that, by the end of this year, more than 70 percent of U.S. households will be able to subscribe to this exciting new offering.<sup>4</sup> While AOL’s Internet Phone Service has nomadic capabilities and thus presents challenges for implementing E911, AOL is strongly committed to ensuring that its subscribers have access to vital emergency services.

---

<sup>1</sup> See *Public Notice: Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, DA 05-2085 (rel. July 26, 2005) (“*Extension Notice*”).

<sup>2</sup> See *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, FCC 05-116 (rel. Jun 3, 2005).

<sup>3</sup> AOL has also obtained acknowledgements from 82% percent of its beta test users.

<sup>4</sup> AOL’s Internet Phone Service offers any-distance calling packages (AOL also offers metered in-state and long distance calling plans); call waiting, caller ID, and related features; toll-free calling; international calling; directory assistance; operator services; and telecommunications relay services. Subscribers also can port existing telephone numbers and retain directory listings.

## **I. Notification Activities**

### **A. Existing Subscribers**

AOL has undertaken a substantial effort to inform its existing AOL Internet Phone Service customers regarding the limitations of its VoIP emergency E911 service compared to traditional circuit-switched E911 service, and to obtain customers' acknowledgement that they understand these limitations. In particular, AOL has used and still uses pop-ups in the AOL client software, emails, direct mail, voice mail messages, and phone calls in order to inform existing customers of such limitations and obtain their acknowledgement that they understand these limitations. Each method employed by AOL is described in more detail below.

#### **1. Pop-Up**

AOL Internet Phone Service customers receive a pop-up message when they open the AOL client software. The pop-up advises the subscriber of the limitations of the AOL Internet Phone Service emergency service (E911) vis-à-vis traditional 911 service. At the end of this notification, the customer must select one of two buttons -- "I Agree" or "I Do Not Understand" -- in order to continue use of the AOL client software. If the customer clicks the "I Agree" button, he/she will not see the pop-up again when he/she opens the AOL client. If the customer clicks the "I Do Not Understand" button, he/she is directed to customer service for further assistance. When this customer opens the AOL client again, he/she will receive the pop-up again. AOL has employed the pop-up notification and acknowledgement process since July 12, 2005.

In addition to the automatic pop-up that customers face when they open the AOL client software, AOL has set up its AOL Keyword to facilitate notification and acknowledgement of the E911 limitations by its AOL Internet Phone Service customers. When a customer enters AOL Keyword "E911," the customer will be linked directly to the pop-up.<sup>5</sup> If the customer has already clicked the "I Agree" button, the pop-up will notify him/her that he/she has already agreed to the notification. If the customer has not yet clicked the "I Agree" button, he/she must click either the "I Agree" or "I Do Not Understand" button in order to continue. The AOL Keyword link to the E911 notification pop-up has been running since July 12, 2005.

#### **2. Email Notification**

AOL sent email communications to its AOL Internet Phone Service customers containing the same notification regarding the E911 limitations as the pop-up described above, and alerting customers that their service may be terminated if they fail to submit an acknowledgement of the E911 limitations in a timely manner. The email directed the customers to AOL Keyword "E911" in order for them to receive the notification described above and acknowledge doing so. The first email message was sent

---

<sup>5</sup> An AOL member who is not an interconnected VoIP subscriber will receive the regular search results for the term "E911."

on July 14, 2005. A follow-up email message was sent on July 21, 2005. On August 8, 2005, AOL sent an additional email message to the few remaining customers who had not yet responded.

For non-paying beta users, AOL sent a similar email communication warning the customer that their service will be disconnected on or before August 25, 2005. The email was sent on July 28, 2005 to all beta users who had not yet responded. The email stated that, if these users failed to provide their acknowledgement by midnight on July 31, 2005, their service would be disconnected between August 1 and August 25, 2005.<sup>6</sup>

### 3. Direct Mail

AOL sent a direct mail communication to all AOL Internet Phone Service customers. These letters were mailed between July 19 and July 26. The direct mailing included the same disclosure regarding the limitations of VoIP E911 as the pop up disclosure, and directed the customers to AOL Keyword “E911” in order for them to receive the notification described above and acknowledge doing so. In addition, these letters included an acknowledgement form that the customer was asked to fax to AOL. These letters also included a sheet of six (6) E911 warning stickers for customers to place on their AOL Internet Phone Service equipment.

### 4. Voice-Mail

AOL sent two voice-mail messages to existing customers directing them to AOL Keyword “E911” in order for them to receive the notification described above and acknowledge doing so. The first voice-mail message was sent on July 19, 2005 and the second voice-mail message was sent on July 25, 2005.

### 5. Phone Calls

Beginning on July 27, 2005, AOL began placing outbound calls to its paying AOL Internet Phone Service customers from whom it had not yet received a completed acknowledgement. Customers were warned that their service would be disconnected if AOL does not receive an acknowledgement by August 25, 2005.

### 6. Additional Acknowledgement Methods

---

<sup>6</sup> In addition to regular service accounts and beta service accounts, AOL has certain interconnected VoIP press accounts. These accounts were set up when the product was first launched to allow members of the media to evaluate AOL’s service. If press account users wish to continue to use their AOL Internet Phone service, AOL is requiring that these users register through the regular registration process. All of the press account users that have not re-registered as a regular account will be disconnected by August 30, 2005.

While the pop-up notification and acknowledgement process is the main method of obtaining customers' acknowledgement of the E911 limitations of the AOL Internet Phone Service, AOL has the ability to receive customer acknowledgments by phone and fax. As discussed above in the direct mail section, AOL provided its customers with an acknowledgment form that they were asked to fax to AOL. In addition, AOL customer service representatives ("CSR"s) have been trained to take a customer acknowledgement over the phone if the customer prefers that method. For a verbal acknowledgement, the CSR reads the full VoIP E911 notification to the customer, and the customer is asked a series of questions to ensure that he/she both understands and acknowledges the limitations of interconnected VoIP service. The verbal acknowledgement is recorded. The CSR completes a written form in addition to the verbal recording, reflecting the CSR's acknowledgement that he/she read the full VoIP E911 notification to the subscriber and that the subscriber acknowledged the limitations.

## **B. New Subscribers**

For customers subscribing to the AOL Internet Phone Service services since July 12, 2005, the E911 notification and acknowledgement is part of the registration process. More specifically, the registration path includes a screen with the same notification described above for the pop-up notification and acknowledgment process for existing subscribers. In order to complete the registration, customers must check that they have read the disclosure and type "I Agree" into a text box. For customers subscribing to the service by phone, the CSR will read the E911 notification to the customer. Then the customer is still required to complete the online registration, including checking that he/she have read the disclosure and typing "I Agree" into a text box before his/her order is completed.

## **II. Warning Stickers**

### **A. Existing Subscribers**

AOL has distributed by U.S. mail warning stickers highlighting the limitations of E911. AOL mailed these warning stickers to customers between July 19 and July 26, 2005. An additional mailing was made on July 29, 2005 to customers whose apartment or unit numbers may have been inadvertently dropped from their address label during the first round of mailings.

### **B. New Subscribers**

For new subscribers (customers subscribing since July 12, 2005), E911 warning stickers are sent out in the customer fulfillment kit (which includes telephone adapter), and which is mailed soon after the customer orders service. E911 warning stickers were included in all customer fulfillment kits starting on July 15, 2005. A separate mailing of E911 warning stickers was made to customers who registered between July 12 and July 15. These customers completed the automated notification and acknowledgement steps in the registration process. Because, however, they may not have received the E911 warning stickers in their fulfillment kits depending on when these kits were shipped, AOL took the additional measure of a separate mailing.

### **C. Success of Warning Label Distribution**

AOL has sent E911 warning stickers to all of its existing AOL Internet Phone Service customers, and all new customers duly receive E911 warning stickers together with their telephone adapter soon after they order service.

### **III. Actions Related to Customers Who Fail to Acknowledge Notification**

AOL expects to obtain all acknowledgements from subscribers prior to August 29, 2005. Therefore, we do not believe there will be a need to disconnect subscribers. In the event AOL fails to obtain the acknowledgment from any subscriber, AOL is prepared to disconnect his/her AOL Internet Phone Service no later than August 30, 2005.

### **IV. Maintenance of Customer Acknowledgments**

Customer acknowledgements from existing customers received through the pop-up process and from new customers received through the online registration process are stored in a centralized online database. AOL supplements this centralized database with the acknowledgments that it obtains through the other methods described above. To achieve this, CSRs transmit phone and fax acknowledgements that they receive to the AOL Internet Phone Service data team, which maintains the centralized database. The centralized database records the customer's screenname, type of customer (paying subscriber or beta user), date/time stamp of their acknowledgement, and type of acknowledgement (pop-up, AOL Keyword Pop-Up, fax, or verbal recording). All acknowledgement data are sent to the AOL Internet Phone Service data team and processed as follows:

- The Pop-up team sends an automatic file nightly to the data team.
- Fax and verbal acknowledgements are scanned into the Member Services computer system, and stored by Member Services for future retrieval. The list of users who have acknowledged via fax/verbally is sent in a daily file from Member Services to the data team, which updates the centralized database accordingly.
- The pop-up team is also sent the latest fax and verbal recording data, so as to keep the pop-up rosters up to date.